

## **REMARKS**

### **Amendments**

#### ***Amendments to the Claims***

Applicant has amended the claims to claim a method performed by a selection device and a computer readable storage medium. No new matter has been added because support for the amendments can be found, *intra alia*, in Figure 4 and paragraphs 30-48 and 60 of Applicant's specification as originally filed.

### **Common Ownership**

The present application and U.S. Patent Publication No. 2002/0170068 were both owned by Sony Corporation, Tokyo, Japan and Sony Electronics, Inc., Park Ridge, New Jersey, at the time the invention of the present application was made.

### **Rejections**

#### ***Rejections under 35 U.S.C. § 103***

#### **Claims 1-2, 4-5, 7-8, 12-15, 18-19, 21-22, 24-25, 28-29, 31-32, and 34-35**

Claims 1-2, 4-5, 7-8, 12-15, 18-19, 21-22, 24-25, 28-29, 31-32, and 34-35 stand rejected under 35 U.S.C. § 103(a) as being obvious over Rafey et al., U.S. Patent Publication No. 2002/0170068, and Lawler, U.S. Patent No. 5,768,259 (previously cited). Applicant respectfully submits that Rafey is disqualified as prior art under 35 USC 103(c) because of the common ownership of the patent publication and the present application. Because Lawler fails to disclose a play sequence that comprises content segments linked together through segment information associated with each content segment as claimed (See Appellant's April 15, 2008 Appeal Brief, p. 5), Applicant respectfully requests the withdrawal of the rejection of claims 1-2, 4-5, 7-8, 12-15, 18-19, 21-22, 24-25, 28-29, 31-32, and 34-35 under 35 USC 103(a).

**Claims 9-11, 16, 23, 26, 27, and 36-38**

Claims 9-11, 16, 23, 26, 27, and 36-38 stand rejected under 35 U.S.C. § 103(a) as being obvious over Rafey, Lawler, and Sitnik (previously cited). As per above, Applicant respectfully submits that Rafey is disqualified as prior art under 35 USC 103(c) because of the common ownership of the patent publication and the present application. Because neither Lawler nor Sitnik teach or suggest a play sequence that comprises content segments linked together through segment information associated with each content segment as claimed (See Appellant's April 15, 2008 Appeal Brief, p. 5), Applicant respectfully requests the withdrawal of the rejection of claims 9-11, 16, 23, 26, 27, and 36-38 under 35 USC 103(a).

**SUMMARY**

Claims 1-2, 4-5, 7-16, 18-19, 21-29, 31-32 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x7514.

**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR  
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